

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**MIROSLAV GORTAT ET AL.,**

Plaintiffs,

-against-

**CAPALA BROTHERS, INC. ET AL.,**

Defendants.

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GLASSER, United States District Judge:

**CIVIL PRETRIAL ORDER**

**CV - 07-3629 (ILG)(SMG)**

Good cause appearing, it is ORDERED that at least 14 days before trial:

(a) The parties shall file, with courtesy copies to the Court, a joint pretrial order which shall include:

(1) Statement of stipulated facts. Attorneys should make every effort to agree as to stipulated facts and to narrow the issues prior to trial.

(2) Schedules of exhibits to be offered in evidence. Exhibits shall be pre-marked by the parties.

(3) Witness lists, including names and addresses of all witnesses, together with a brief narrative statement of the expected testimony of each witness.

(4) Expert witnesses. The names and addresses of expert witnesses to be called at trial, together with a description of their qualifications and copies of their reports prepared for the litigation and a summary of their proposed testimony sufficiently detailed to permit effective cross-examination.

(5) Hearsay evidence. The parties shall identify any material to be relied upon pursuant to Federal Rules of Evidence, Rule 803(18). Notice pursuant to Federal Rules of Evidence, Rules 803(24) and 804(b)(5), shall be given at the same time.

(b) The parties shall file trial briefs which shall include:

(1) A summary of the facts of the case.

(2) A summary of the evidence, or lack of evidence, supporting the position of the briefing party.

(3) Significant issues of law with authorities deemed to be controlling, that will have to be determined before or during trial.

(c) The parties shall file motions *in limine* addressed to any proposed exhibits, lay or expert witness testimony sought to be introduced at trial.

(d) If the case is to be tried to a jury the parties shall submit:

- (1) Proposed voir dire questions;
- (2) Proposed jury instructions with citations of authorities; and
- (3) Proposed verdict forms, special verdict forms, and proposed special interrogatories to the jury, if applicable.

(e) If the case is to be tried to the Court without a jury, each party shall submit proposed findings of fact, conclusions of law, and an order of judgment.

It is certified that the attorneys in this case shall be required to appear in this Court for trial on May 7, 2012 at 10:00 a.m.

SO ORDERED.

Dated: February 16, 2012  
Brooklyn, New York

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/S/  
I. Leo Glasser  
United States District Judge